

**TOWN OF DUNE ACRES  
COUNCIL MINUTES  
for August 17, 2004**

The Town of Dune Acres Town Council met for its regular monthly meeting on Tuesday, August 17, 2004, at the Town Hall.

Town Council President Benjamin Bolton called the meeting to order at 7:07 p.m. with Councilpersons John Wilhelm and Louise Roberts and Clerk-Treasurer Anne Hiestand in attendance. Town Attorney Dan Whitten also was in attendance.

Council President Benjamin Bolton opened the meeting with the Pledge of Allegiance.

**APPROVAL OF MINUTES:** The minutes of the July 20 and July 27, 2004 meetings were reviewed. Councilperson Louise Roberts moved that the minutes be approved as presented which motion was seconded by Councilperson John Wilhelm and unanimously carried.

**FINANCIAL REPORT FOR the TOWN OF DUNE ACRES as of July 31, 2004:**

Bank One Checking Account	\$31,004.04
Bank One Money Market Account	\$138,250.45
First State Bank of Porter Checking Account	<u>\$313,345.77</u>
	\$482,600.26

Councilperson John Wilhelm made a motion to accept the Financial Report as submitted, which motion was seconded by Councilperson Louise Roberts and unanimously carried.

**PAYMENT OF CLAIMS:** Councilperson John Wilhelm made a motion to pay the Claims as presented.

Anton Insurance	Balance due on contract for 2003	\$162.00
Town of Porter Volunteer Fire Dept	Donation for equipment	\$250.00
Andrew W. Belsha	July 2004 Payroll	\$591.84
Atha W. Belsha	July 2004 Payroll	\$1,231.61
Raymond C. Friday	July 2004 Payroll	\$631.47
Anne Hiestand	July 2004 Payroll	\$354.58
David W. Kristophel	July 2004 Payroll	\$559.17
Philip A. Lepley	July 2004 Payroll	\$1,414.03
Nick Markovich	July 2004 Payroll	\$1,053.65
Sandra L. O'Brien	Garlic Mustard Pull	\$582.09
Terry R. Trout	July 2004 Payroll	\$571.54
Garrett L. Tyrrell	July 2004 Payroll	\$744.94
John T. Vucko	July 2004 Payroll	\$640.81
Bank One	July 2004 Payroll	\$2,139.50
Indiana Dept. of Revenue	July 2004 Payroll	\$372.84
Advantage Drainage	Portable toilet 7/16-9/13	\$170.00
Kramer & Leonard Office Products	Recharge gatehouse copier toner cartridge	\$69.95
Ben Bolton	Cleaning supplies for TH	\$18.18
Able Disposal	Monthly garbage service	\$74.00
NIPSCO	Gas & electric	\$202.37
Great Lake Engineering	Park Residence Retaining Wall review	\$240.00
Ray Friday	Color cartridges for vehicle printouts	\$106.00
Ray Friday	Use of Truck for July 04	\$134.64
Nextel	Monthly Service	\$64.72

Verizon North	Monthly phone	\$138.27
Pinkerton Fuels & Lubricants	Monthly gasoline for vehicles	\$198.75
Hopkins Ace Hardware	Maintenance Supplies	\$60.68
Hopkins Ace Hardware	Sprinkler System Supplies	\$113.98
Hopkins Ace Hardware	Clubhouse Electric Panel	\$14.50
Hopkins Ace Hardware	Rebar for road project	\$11.37
Hopkins Ace Hardware	Portable Light	\$13.99
Tom Roberts	Septic permit for Clubhouse	\$168.00
Adam Friday	Cleaning water reservior	\$50.00
Nutec	Retaining material for East Rd.	\$764.85
Brown Tire of Portage	JIMMY oil change	\$31.68
Newark in One	Supplies for Clubhouse Fire Pumps	\$421.89
Lake & Porter County Asphalt Inc.	Hill Drive, Summit Drive, West Rd.	\$5,140.00
Boyce Forms	Receipts pages and checks	\$496.49
Microbac Laboratories, Inc.	Water Testing	\$1,456.00
Bedrock & Boulders, Inc.	Road repairs	\$1,944.00
Chesterton Tribune	Legal Notice Budget Hearing	\$77.48
Bank One Credit Card	Pipe fittings and supplies	\$179.54
Bank One Credit Card	Light Bulbs for gatehouse	\$6.34
Leep's Supply Co., Inc.	Pipe fittings and supplies	\$636.19
Kevin O'Brien	Garlic Mustard Pull	\$180.00
Q & S Corporation	Loan Payment	\$1,200.00
		<b>\$24,680.09</b>

Clerk-Treasurer Anne Hiestand asked the Town Council for a motion to temporarily borrow money from the General Fund for the Park Fund to be repaid before the end of the year. Councilperson Louise Roberts made the motion and Councilperson John Wilhelm seconded the motion. It passed unanimously.

Clerk-Treasurer Anne Hiestand asked the Town Council to set September 14, 2004 as the regular Town Council meeting so that the 2005 Estimated Budget could be adopted before the State of Indiana deadline of September 20, 2004. She also wished that the meeting be a public hearing for additional appropriation for the Park Fund to pay for e-coli testing for which the Town receives reimbursement from the State of Indiana. Councilperson John Wilhelm made the motion and Councilperson Louise Roberts seconded the motion. The motion passed unanimously.

**CORRESPONDENCE:** Councilperson John Wilhelm read a letter from the Chesterton/Duneland Chamber of Commerce inviting concerned citizens to attend a meeting with state legislators on August 27, 2004 at 9:00 a.m. No one was able to attend.

Council President Ben Bolton read a letter from resident Dana Treister, 74 West Road, suggesting controlled burns in Town park areas to help the native plants become reestablished.

Councilperson John Wilhelm read letter from resident, Sue Harris, 6 West Road, resigning from the Plan Commission. The Town Council regretfully accepted the resignation. Councilperson Louise Roberts will send thank you to Mrs. Harris for her many years of service to the Town.

Council President Ben Bolton read a letter from resident Robert Hartmann, 38 East Road, complaining about the slag remaining on the Town's roads and the many damaged tires suffered by residents including seven flats he personally experienced. He included a piece of slag removed from his most recent damaged tire. After considerable discussion, Councilperson John Wilhelm made a motion to approved the expenditure of funds to have an independent contractor hired to come into the Town for two days to clean up slag. Councilperson Louise Roberts seconded the motion. Town resident Terry Hiestand, 2 Fern Lane, suggested that overburden of the edge of pavements be removed along with some of the offending slag. Road Commissioner Irv Call said that could lead to washouts. Maintenance Manager Bill Griffin suggested that some areas be shoveled up before the street cleaner tries to remove the slag. The motion passed unanimously. The Road

Commissioner volunteered to oversee of the clean up and keep in contact with Council President Bolton with the status of the project. When the Clerk-Treasurer mentioned the depleted state of road appropriations Town Council President Ben Bolton suggested using up to \$3,000 from Town Maintenance appropriations to fund the street cleanup.

Resident Terry Hiestand, 2 Fern Lane, asked what was the status of the Town's storm water standards. Commissioner Irv Call reported that an independent engineering firm was representing the Town. His understanding was that the Town was exempt.

#### **COMMISSION REPORTS:**

**FIRE COMMISSION:** Fire Commissioner Mark Hull said there was no report.

**BEACH COMMISSION:** In response to individuals bringing a boat inside the swimming buoys and setting off fireworks resulting in responses from DNR and the Porter County Sheriff, Rob Carstens has provided clarification that the buoys indicate reduced speed for boats, not a prohibition.

**MUNICIPAL CODE:** Councilperson John Wilhelm has been meeting with Bill Nixon. They still need to compare what we have with the requirements. There will be a preliminary report at the September meeting.

**ROAD COMMISSIONER:** Commissioner Irv Call reported the washout on West Road had been stabilized with forty yards of fill until next year. The matting to prevent sand erosion on East Road near the McLaughlin residence, 75 East Road, has been received but not installed yet.

Council person John Wilhelm made a motion authorizing the purchase of four portable speed bumps to be installed at each end of the park area along East Road. Council person Louise Roberts seconded the motion. Resident Patrice Bapst, 10 Crest Drive, spoke against the use of speed bumps. The motion passed unanimously. Commissioner Call was asked to purchase the speed bumps from Sa-So. Clerk-Treasurer Anne Hiestand mentioned to Commissioner Call that the Town has an account with Sa-So.

Resident Dana Treister, 74 West Road, asked when the sign along U.S. Highway 12 was going to be replaced. Council person John Wilhelm told her that the Indiana Department of Transportation did not want the sign replaced in the right-of-way. INDOT has installed green direction signs indicating the location of Dune Acres.

Commissioner Call once again requested that the Town Council approve the purchase of a pickup truck. He presented several quotes from local dealerships. He was asked to get together with Atty. Dan Witten to write specifications for the truck to be given to the dealers. Maintenance Commissioner Bill Griffin wanted the Town Council to be aware of the recommendations of the Auxiliary Structure Committee before purchasing any new vehicles. Those recommendations should be presented at the September Town Council meeting.

**TOWN ENGINEER:** Commissioner Call noted that several logs that the Clubhouse were rotten and need to be replaced. He had spoken with Clubhouse Building Supervisor Tom Roberts to obtain a list of names of qualified contractors to repair the Clubhouse. Jack Kramer is looking at repair options. Amos Schwartz had worked on the Clubhouse in the past but was not responsive to calls.

In another matter the pumps for the Clubhouse sprinkler system plumbing is finished. Commissioner Call requested that the Town Council approve replacement of the cable to the caisson and change it to 24W at a cost of \$1,500.00. Councilperson John Wilhelm made a motion that Commissioner Call repair the existing cable severed by Indiana American Water by splicing. Council person Louise Roberts seconded the motion. It passed unanimously.

Commissioner Call reported that Circle "R" spent two days installing 3" and 4" pipe. Their bill should be between \$1,600 and \$2,000. The jockey pump is installed and plumbed. The tank has been drained and cleaned. An estimate of \$8,000 was suggested for sealing the tank. Building Commissioner John Sullivan suggested the Town might be financially better off if water was purchased from Indiana American Water to keep the reservoir filled for fire fighting. He noted that no one should be down inside sealing the tank except a certified contractor. It would probably be better to sell the equipment. He stressed that OSHA has strict requirements about working inside of tanks. Town resident Terry Hiestand recalled an instance when two or three people died inside a tank at what was then Bethlehem Steel.

**BUILDING COMMISSIONER:** Commissioner John Sullivan reported that foundations are being started at 2 Cypress and 6 Aspen. The remodeled porch at Art and Jean Tonner's, 27 Crest Drive, is completed. Michael and Vicki Konopacki, 29 Crest Drive, were approved to move back into the remodeled part of their house. John and Bette Norris's addition is still in process. Bob and Bev Hubbs deck is completed.

The Lapinskis declined to pay for the review of their new construction by Duneland Group, but Commissioner Sullivan reported their contractor agreed to reimburse the Town's cost. Commissioner Sullivan requested that the Town institute and licensing procedure for contractors working in our Town. He recommends an initial fee of \$100 and reduced fee for annual renewal. They would be required to show certificate of liability and performance bond. If they have a bond with Porter County, it could be used as proof of bond for the Town. He will talk to Atty. Whitten about how other towns license contractors.

**MAINTENANCE COMMISSIONER:** Commissioner Griffin reported that the gutters along Shore Drive would be cleaned next week. Playground repairs have been completed. He is communicating with Park Commissioner Kelly Klein about repairs at the park.

**POLICE COMMISSIONER:** Commissioner Cecilia Call said there was nothing much to report.

**ENVIRONMENT COMMISSION:** Resident Mary Ann Crayton, 2 Crest Drive, gave Environment Commissioner Sue Smith's report. Residents are reminded not to put clippings and yard waste in town areas but rather carry them out of town for recycling. It discourages native vegetation. The Town needs to seek expert guidance to keep working to eliminate garlic mustard and Asian bittersweet. The Commission members are continuing their survey of native plants and are encouraging residents to restore and appreciate the natural beauty of Dune Acres. Mrs. Crayton was forced to install electric fencing after deer helped themselves to a portion of her new landscaping. She wants the Town to continue its efforts to control the deer population.

**WATER:** President Ben Bolton presented a plan from Indiana American Water Company to improve Oak Drive water quality. Resident Terry Hiestand asked that the Town request bids for the project. Attorney Dan Whitten suggested that the Town could get around the bid requirement.

**OLD BUSINESS:** There was no old business to be addressed.

**NEW BUSINESS:** President Ben Bolton opened the public hearing on the 2005 Estimated Budget. There were no questions or discussion. The public hearing was closed. The adoption of the budget will be considered at the September 14, 2004 meeting of the Town Council.

Council person John Wilhelm moved that the Town Council accept the Plan Commission's recommendation to approve the Building Permit of Mark and Kathleen Hull for a new residence at 85 West Road subject to Building Commissioner John Sullivan's approval of the report from John Hannon of Great Lakes Engineering on the retaining walls. Council person Louise Roberts seconded the motion. The motion passed unanimously.

Council person John Wilhelm reported that the Plan Commission had approved plans for the enlargement of a greenhouse at the Robert Straus residence, 74 East Road. David Rearick will be applying on behalf of Dr. and Mrs. Straus. Councilperson John Wilhelm

made a motion that the Town Council approve the building permit for the green house improvements at 74 East Road. Councilperson Louise Roberts seconded the motion. The motion passed unanimously.

**QUESTIONS AND DISCUSSIONS:** The Town Council acknowledged the new town phone books provided by Lakeshore Realty. Clerk-Treasurer Anne Hiestand was asked to send a thank you.

Councilperson John Wilhelm moved that the meeting be adjourned Council President Benjamin Bolton adjourned the meeting at 9:14 p.m.

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Benjamin Bolton, Town Council President

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John Wilhelm, Town Council Member

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Louise Roberts, Town Council Member

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Anne Hiestand, Clerk-Treasurer